## RECEIVED CENTRAL FAX CENTER

Edwards & Angellus

APR 0 7 2005

101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170 www.EdwardsAugell.com

Phone

Date: 04/07/05

Pages (including cover): 2

Sender:

Name Peter C. Lauro

Fax 617-439-4170

plauro@EdwardsAngell.com

\_\_\_\_

617-517-5509

To:

Email

Name Company Fax Phone

Examiner M. Rao U.S. PTO 571-273-0939 571-272-0939

If you experience problems receiving this fax, please call Terri Lauro at 617-517-5592.

Message: U.S. Ser. No. 09/885,297; Atty. Docket No.: 49950-59776

Dear Examiner:

Further to the voice mail message I lest earlier this afternoon, enclosed are some proposed claims for the purpose of discussing the issue of "derived from Erwinia" as recited in claim 44 which is currently pending

Again, I apologize for missing our telephone appointment this morning, and look forward to speaking with you at your earliest convenience.

Peter C. Lauro, Esq.

email: plauro@EdwardsAngell.com Website: www.EdwardsAngell.com

Direct Phone: (617)517-5509 Direct Fax: 888-325-9044 General Phone: (617)439-4444 General Fax: (617)439-4170

Fax

Confidentiality Note: The documents accompanying this facstrife contain information from the law from of Edwards & Angell LLP, which may be confidential and/or privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended accipient, you are hereby readled that any disclosure, copying distribution or the taking of any action in reliance on the contents of this facsinale is satisfy prohibited, and that the documents should be returned to this firm immediately. If you have received this facsinale in error, please notify us by telephone immediately so that we can arrange for the nature of the original documents to us at no cost to you.

U.S. Ser. No. 09/885,297

## FOR DISCUSSION PURPOSES ONLY

- 44. (Currently Amended) A recombinant host cell suitable for degrading an oligosaccharide comprising:
- a first heterologous polynucleotide segment encoding a first endoglucanase having a first degrading activity, wherein said segment is under the transcriptional control of a surrogate promoter; and
- a second heterologous polynucleotide segment encoding a second endoglucanase having a second degrading activity, wherein said segment is under the transcriptional control of a surrogate promoter, and
  - a polynucleotide segment expressing an additional enzyme,
- wherein said first endoglucanase and said second endoglucanase are expressed so that said first and said second degrading activities are present in a ratio such that the degrading of said oligosaccharide by said first and second endoglucanases is synergized

and wherein said first endoglucanase is encoded by celZ and said second endoglucanase is encoded by celY, and wherein celZ and celY are derived comprise a polynucleotide segment isolated in whole or in part from Erwinia.

- 60. (New) The recombinant host cell of claim 44, wherein said said first and second endoglucanases comprise a polypeptide purified from *Erwinia*.
- 61. (New) The recombinant host cell of claim 44, wherein said celZ and celY comprise a polynucleotide segment prepared by a process selected from the group consisting of direct cloning of a polynucleotide sequence isolated in whole or in part from Erwinia, PCR amplification of a polynucleotide sequence isolated in whole or in part from Erwinia and artificial synthesis from or based on a polynucleotide sequence isolated in whole or in part from Erwinia.